

MINUTES OF REGULAR MEETING HELD FEBRUARY 26, 2019

Pursuant to rules of Council of the Town of Westfield, the members thereof convened in regular session Tuesday, February 26, 2019 at 8:00 p.m.

Mayor Brindle made the following announcements:

“Prior to convening in regular session, there was an agenda session which was open to public and advertised.”

“The adequate notice of this meeting, as required by the Open Public Meetings Act, was provided by the posting, mailing and filing of the annual notice of regularly scheduled meetings of the Town Council on December 13, 2018. The notice was, on that date, posted on the bulletin board in the Municipal Building, mailed to THE WESTFIELD LEADER, and THE STAR LEDGER, and filed with the Clerk of the Town of Westfield.”

PRESENT: Mayor Brindle, Council Members Habgood, Arena, Dardia, LoGrippo, Contract, Stokes, Mackey

ABSENT: Councilwoman Neylan

INVOCATION AND FLAG SALUTE

Invocation was given by Councilman Arena followed by the flag salute.

PRESENTATIONS

Mayor Brindle presented the following proclamation:

Town of Westfield

Westfield, New Jersey

~ PROCLAMATION ~

Councilwoman Margaret “Peggy” Sur

WHEREAS, Margaret “Peggy” Sur faithfully served the Town of Westfield as a Councilwoman representing the Second Ward from January of 1990 to December of 1995, having been elected to three consecutive two-year terms in office; and

WHEREAS, Councilwoman Sur unselfishly dedicated her time and talents to attend to the needs of the residents of her Ward and the Town, tirelessly demonstrating her uncompromising commitment to advancing the quality of life for all in the community; and

WHEREAS, during her entire tenure on the Town Council, Councilwoman Sur served on the Public Safety Committee, the Building and Town Property Committee, and the Public Works Committee, and was the Council liaison to the Recreation Commission; and

WHEREAS, always willing to answer the call, Councilwoman Sur also served on other committees as needed, including the Transportation, Parking and Traffic Committee; the Solid Waste Committee; and the Personnel Policy Committee; and

WHEREAS, during the years 1993, 1994, and 1995, Councilwoman Sur was the Alternate Acting Mayor, assuming the role of Mayor when the Mayor and Acting Mayor were unavailable; and

WHEREAS, when, in January of 1991, Mayor Bagger created, “a special committee to develop plans for aesthetic improvements in Mindowaskin Park and to locate funding sources for that work outside of the municipal budget”, he turned to the one person he was sure would get the job done – Peggy Sur.

WHEREAS, Mayor Bagger’s instinct was proven correct when in less than a year’s time, he announced in his 1992 State of the Town address, “1991 was a big year for Mindowaskin Park. The Mindowaskin Park Committee, chaired by Councilwoman Peggy Sur, completed its Master Plan for Mindowaskin Park in November. The bandstand, the architectural centerpiece of the park, was rebuilt last spring and dedicated at the Independence Day observance.”; and

WHEREAS, in Mayor Boothe’s 1992 State of the Town address, he highlighted the progress of the Mindowaskin Park Committee as follows: “...the Mindowaskin Park renovation project is well under way...The Mindowaskin Park Committee, chaired by Councilwoman Peggy Sur, have been hard at work and very successful in raising private and corporate funds for enhancements to the park.”;

WHEREAS, as a result of the dedication and leadership of Councilwoman Sur, 1994 marked the year when significant and lasting improvements to Mindowaskin Park were completed; and

WHEREAS, during her esteemed tenure on the Town Council, Councilwoman Sur earned the respect of her fellow civic leaders and the gratitude of her constituents; and

WHEREAS, in learning of her recent passing, the Mayor and Town Council wish to remember and honor her service to the Town of Westfield;

NOW, THEREFORE, BE IT PROCLAIMED that I, Mayor Michelle W. Brindle, on behalf of the Town Council and a grateful community, on this twenty-sixth day of two-thousand nineteen, hereby remembers and pays tribute to Second Ward Councilwoman Margaret “Peggy” Sur for her dedication and service to the Town of Westfield and its residents.

Affordable Housing Compliance Update

The Town Planner provided an update of the Town’s compliance with affordable housing regulations. Explained that Westfield obtained its Final Judgment of Compliance and Repose from the Superior Court in 2018, which means that the Town’s housing plan is fair to low and moderate income households. Explained that this is important because it protects the Town from Builder’s Remedy lawsuits, and discussed the impact Builder’s Remedy lawsuits have on municipalities that do not have this immunity. Stated that now that the Town has a housing plan and a judgement from the court, it must demonstrate that the plan is actually feasible, and if it is not, the plan would then need to be amended. Explained that part of the Town’s plan, as well as its agreement with the Fair Share Housing Center, requires that that the Town discuss efforts it has taken to encourage the involvement of non-profits in meeting its unmet affordable housing need, with a goal of providing 20 additional homes, half for families, by December 31, 2025. Also explained that this discussion must take place on an annual basis, and must be held at a public meeting of the Town Council. Provided a bullet point review of the Town’s efforts to date as follows:

- Discussed the Town’s amendment to its affordable housing spending plan that includes an affordable housing trust fund, in which funds are dedicated to all housing initiatives. In addition, within that spending plan, which is approved and mandated by the court, there are funds dedicated for the purpose of providing twenty (20) additional affordable homes by working with non-profit developers. Stated that the Town has been working with the ARC of Union County in connection with building that is occurring on two sites, one located on Myrtle Avenue and one located on Grove Street. In addition, stated that he and Mayor Brindle recently met with a not-for-profit housing developer, and the Town is also compiling a list of not-for-profit contacts so that the Town can meet with them to discuss opportunities in which they could help the Town meet its twenty (20) unit obligation. Also explained that it is his understanding that the Housing Commission is updating its “vision” and feels the Housing Commission could play a valuable role in this piece of the Town’s housing plan, whereby it could help organize and host the meeting with not-for-profit housing developers;

- Discussed official action taken by the Town Council in 2018 with respect to affordable housing, including the adoption of a Housing Element and Fair Share Plan and amendments to the Town's Land Use ordinance and Master Plan to reflect that, the adoption of twelve (12) separate land use ordinances related to affordable housing, the establishment of affordable housing overlay zones, the amendment of existing affordable housing zone district regulations, the reestablishment of development fees, which funds the Town's affordable housing spending plan, the rewrite of Article 23 of the Town Code, which pertains to how affordable housing is managed and identifies the percentage of units of development that need to be affordable, the adoption of an Affirmative Housing Marketing Plan, which is the strategy for informing the public of the availability of affordable housing units in Town, the adoption of an affordable housing spending plan, the hiring of an Administrative Agent, which assists the Town with the marketing and filling of affordable housing units that are constructed, and the appointment of a Municipal Housing Liaison to manage all of the affordable housing activities in-house.
- Discussed projects underway, including 339 West Broad Street, which will include five (5) affordable units out of a total of thirty-one (31) units, the Pan Am site at the South Avenue traffic circle, which will contain five (5) affordable units of a total of thirty (30) units, and development at Myrtle Avenue and Grove Street which were previously mentioned.
- Discussed a meeting held with the Westfield Neighborhood Council in October 2018, where the Town explained the status of affordable housing in Westfield and provided information as to how to apply for affordable housing.

The Town Planner thanked the Town Council for its support in moving its affordable housing plan forward. Feels much has been accomplished in a short time frame. Stated that he would continue to keep the Town Council informed as the Town continues to move forward, and as was mentioned previously, this update is required and would be provided annually at a public meeting. Also provided contact information for those interested in applying for an affordable housing unit in Westfield. Lastly, the Town Planner mentioned that next year the Town would be required to conduct a midpoint review of its housing plan and explained that while the Town recently obtained its Final Judgment of Compliance and Repose, it is effective from year 2015 to 2025, making year 2020 the midpoint.

Councilman Arena stated that affordable housing is a very complicated and obtuse program and feels the Town Planner has done a tremendous job navigating for Westfield. Also commended the Town Administrator and the Town's affordable housing counsel for their involvement as well.

Mayor Brindle also commended the Town Planner for his efforts.

Town Administrator's Reports

- Commended the Town Planner for his efforts and stated that Westfield is fortunate to have him on staff;
- Provided an update of the revaluation process. Stated that the assessment formulation was concluded and the results would be sent to Union County. Postcards indicating new assessments would then be sent to property owners. Stated that the appeal deadline has been extended to May 1, 2019 because of the revaluation process and appeals would be defended by Realty Appraisal Company. Also discussed the next tax cycle and the determination of the new tax rate by Union County. Informed residents that the process is coming to a close and commended the efforts of Neil Rubenstein and Realty Appraisal Company.

Mayor's Remarks

- Congratulated DPW for winning the public employee portion of the Town's Chili & Chowder Contest with their potato chowder recipe by "edging out" the Police Department and Fire Department. Also congratulated the restaurant chili contest winners, Outta Hand Pizza/Chrissy's Kitchen (3rd place), Vine Ripe Markets (2nd place), and first place winner Westfield Diner for their pulled pork/chorizo chili recipe. Lastly, congratulated Addams Tavern for its first place award in the chowder contest. Stated that the Town's first Chili & Chowder Contest was a huge success, with over one hundred and fifty (150) attendees and ten (10) restaurants participating. Extended thanks to DWC Promotions Chairman Erin Ben-Hayon Realtor and Councilwoman Dawn Mackey for spearheading the inaugural event;

- Provided an update of downtown businesses and announced that Ambeli Greek Tavern on Elm Street has decided to close their Westfield location. The owner indicated to her that managing two locations was taking its toll and he has decided to focus exclusively on his original Cranford location. Also announced that Spice Bazaar, Casual Indian Dining on Quimby Street, would be relocating to the larger Ambeli space in early May, and the owner informed her that they plan on opening a Pan Asian restaurant in the current Quimby Street location shortly thereafter. Stated that while she is sorry to see Ambeli close, she is thrilled to know that the location would not be vacant for long. Discussed other new openings scheduled, including Cinnaholic, Innovasion Taco, Buddha Sushi, and Portokali Modern Grill. Informed residents BareBurger encountered some delays that have postponed their opening until the fall. In addition, new services, such as Downtown Dental and OsteoStrong, would also be opening in the coming weeks, and welcomed the new recently opened Orgreen Poke and Bespoke By Gambert. Reiterated previous statements she has made concerning downtown businesses and explained that she does not rely on the downtown vacancy rate as a success metric. Feels the root of the problem must be addressed, which is a lack of daytime foot traffic. Explained that retailers and restaurants cannot survive on weekend business alone, and employers are the biggest driver of weekday foot traffic. Those employees shop in Town stores and eat in Town restaurants, and the Town has lost hundreds of employees over the last several years due to a lack of employee parking and modern office space. Feels if the daytime foot traffic could be improved, the retail problem would “take care of itself”, and she expects this to be addressed in the Town’s Master Plan;
- Discussed the recent approval of a minor variance for site plans by the Board of Adjustment that would enable Avalon Bay to move into the Children’s Place location. Stated that the decision to grant the use variance to allow office space on the first floor of a prime retail location was made in 2017, prior to her election. Explained that she did not agree with that decision then, and does not agree with it now, in spite of the Town’s need to attract employers because she does not believe office space belongs in such a prominent and visible location. Stated that this is the type of land use consideration which would be addressed in the Master Plan, and wished that this application had been considered in the context of a larger vision for the Town;
- Stated that she recently accompanied the Town Planner, the Town Administrator, and other Town employees on a walk along North Avenue from the train station to South Euclid Avenue, with representatives from Sustainable Jersey, the Rutgers University Voorhees Center and the NJTPA as part of technical assistance grant. Explained that the goal is to create a more pedestrian friendly corridor, and the end result would be an assessment and implementation recommendations which could then be applied to other corridors in Town as part of a larger overall Smart Streets initiative;
- Announced that she recently met with Union County Freeholder Chairman BJ Kowalski to discuss Westfield’s priorities and to request their support. These priorities include a lower County tax rate, support for a peak one seat ride, new lighted turf fields, and enhanced traffic and pedestrian safety measures on Union County roads. In summary, explained that the Town needs Union County’s collaboration on taxes, trains, turf and traffic;
- Announced that the Town would be introducing a new email communication capability this week as part of its ongoing initiative to expand communication options to residents. Extended thanks to the efforts of the Public Information Officer, Kim Forde, who has been working with the Town’s technical consultant, Michael Bielen, on launching this email subscription feature on the website. Explained that, in spite of significantly increasing the Town’s social media presence, there are segments of the population that remain unaware of significant initiatives and updates since they do not use social media and prefer email as their primary communication tool. To that end, residents would now be able to opt in to receive Town emails and choose the information they would like to receive, including Mayor updates, tax reminders, meeting agendas and minutes, and press releases. In addition, more communication options would be available as part of a larger website overhaul that is planned for later this year;
- Announced that NJ Transit and the NJ Department of Transportation would be hosting a public listening session at the South Avenue train station on Wednesday, March 6, 2019 at 5:00 PM. Stated that while they chose a time that is not ideal for commuters, encouraged as many residents as possible to attend to show the extent of their disappointment and anger in NJ Transit’s poor service and communication. Explained that the immediate priority is to demand a date for reinstatement of the off peak one seat ride. Also stated that she would co-hosting a meeting of the Raritan Valley Line (RVL) Mayor's Alliance along with invited legislators on March 7, 2019 to discuss the

legislative strategy to obtain RVL peak one seat ride service. Additionally, representatives from the Gateway Coalition would be attending to present their findings on a report they released today detailing the potential multi-billion dollar devastating economic impact to the region in the event an existing tunnel is no longer operational;

- Informed residents that the Westfield Rink has announced their schedule for Friday, March 1, which is the last day of operation before the rink is taken down and the basketball courts are returned for use on April 1. Stated that two public skating sessions are scheduled for Friday, the first from 4:40 PM to 6:10 PM and the second from 7:30 PM to 9:00 PM, with a family hockey session scheduled in between;
- Discussed items included on this evening's agenda, including the presentation of a proclamation to honor former Councilwoman Peggy Sur who passed away recently. In addition, the Town Council would be considering the adoption of a resolution to finalize the recently reached settlement with the FMBA bargaining unit, as well as two (2) resolutions allowing the Green Team to apply for grants from Sustainable Jersey.

APPOINTMENTS

ADVERTISED HEARINGS

GENERAL ORDINANCE NO. 2125

"AN ORDINANCE TO AMEND GENERAL ORDINANCE NO. 2011 ENTITLED, "AN ORDINANCE FIXING THE WAGES OF CERTAIN EMPLOYEES OF THE FIRE DEPARTMENT"

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

GENERAL ORDINANCE NO. 2126

Regarding the following ordinance, Councilwoman Mackey made the following announcement:

I hereby move that an ordinance entitled, "GENERAL ORDINANCE NO. 2126 – AN ORDINANCE AMENDING CHAPTER 4 OF THE TOWN CODE OF THE TOWN OF WESTFIELD AS IT RELATES TO THE HOURS FOR THE RETAIL SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON AND OFF PREMISES" be amended on first reading.

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

GENERAL ORDINANCE NO. 2127

"AN ORDINANCE TO AMEND CERTAIN PROVISIONS OF THE CODE OF THE TOWN OF WESTFIELD RELATED TO CONSTRUCTION FENCING"

Advertised returnable this evening.

Hearing no comments, Mayor Brindle declared the hearing closed.

PENDING BUSINESS

An ordinance entitled, GENERAL ORDINANCE NO. 2125 - "GENERAL ORDINANCE NO. 2125 – AN ORDINANCE TO AMEND GENERAL ORDINANCE NO. 2011 ENTITLED, AN ORDINANCE FIXING THE WAGES OF CERTAIN EMPLOYEES OF THE FIRE DEPARTMENT" by Councilwoman Habgood, seconded by Councilman Stokes, was taken up, read and passed by the following vote of all present upon roll call as follows:

Yeas: Habgood
Arena
Dardia
LoGrippe
Contract
Stokes

Nays:

Absent: Neylan

Mackey
Mayor Brindle

An ordinance entitled, GENERAL ORDINANCE NO. 2126 - “GENERAL ORDINANCE NO. 2126 – AN ORDINANCE AMENDING CHAPTER 4 OF THE TOWN CODE OF THE TOWN OF WESTFIELD AS IT RELATES TO THE HOURS FOR THE RETAIL SALE OF ALCOHOLIC BEVERAGES FOR CONSUMPTION ON AND OFF PREMISES” by Councilwoman Mackey, seconded by Councilman LoGrippto, was amended on first reading by the following vote of all present upon roll call as follows:

| | | |
|---------------|-------|----------------|
| Yeas: Habgood | Nays: | Absent: Neylan |
| Arena | | |
| Dardia | | |
| LoGrippto | | |
| Contract | | |
| Stokes | | |
| Mackey | | |
| Mayor Brindle | | |

An ordinance entitled, GENERAL ORDINANCE NO. 2127 - “GENERAL ORDINANCE NO. 2127 – AN ORDINANCE TO AMEND CERTAIN PROVISIONS OF THE CODE OF THE TOWN OF WESTFIELD RELATED TO CONSTRUCTION FENCING” by Councilwoman Mackey, seconded by Councilwoman Habgood, was taken up, read and passed by the following vote of all present upon roll call as follows:

| | | |
|---------------|-------|----------------|
| Yeas: Habgood | Nays: | Absent: Neylan |
| Arena | | |
| Dardia | | |
| LoGrippto | | |
| Contract | | |
| Stokes | | |
| Mackey | | |
| Mayor Brindle | | |

BIDS

**TOWN OF WESTFIELD
INVITATION TO BID
WEDNESDAY, February 6, 2019
2019 PUBLIC WORKS LANDSCAPE MATERIAL**

| | |
|----------------------|-----------------------------|
| <u>Bidder</u> | <u>Amount of Bid</u> |
|----------------------|-----------------------------|

| | |
|--------------------------|-----------------------|
| Northern Nurseries, Inc. | |
| 487 Elizabeth Avenue | |
| Somerset, NJ 08873 | |
| <u>Specie</u> | <u>Per Unit Total</u> |
| Syringa reticulata | \$4,102.00 |
| Lagerstroemia pink | \$2,144.00 |
| Lagerstroemia purple | \$2,424.00 |
| Lagerstroemia red | \$1,608.00 |
| Lagerstroemia white | \$536.00 |
| Cornus kousa pink | \$1,212.00 |
| Cornus kousa white | \$1,072.00 |
| Prunus xlyedoensis | \$1,372.00 |

| | |
|--------------------------------------|-------------|
| Prunus subhirtella 'Autumnalis' | \$1,818.00 |
| Prunus 'Okame' | \$1,608.00 |
| Cercis canadensis | \$1,072.00 |
| Cercis canadensis 'Merlot' | \$1,412.00 |
| Cercis canadensis 'The Rising Sun' | \$1,112.00 |
| Chionanthus virginicus | \$1,312.00 |
| Prunus cerasifera | \$1,072.00 |
| Lagerstroemia single-trunk pink | \$687.50 |
| Acer palmatum 'Bloodgood' | \$1,772.00 |
| Acer palmatum 'Sango-Kaku' | \$706.00 |
| Aesculus hippocastanum | \$137.50 |
| Cercidiphyllum japonicum | \$586.00 |
| Acer rubrum | \$2,780.00 |
| Acer x freemanii 'Armstrong' | \$606.00 |
| Acer platanoides 'Crimson King' | \$556.00 |
| Quercus rubra | \$2,118.00 |
| Ulmus americana 'Princeton' | \$1,212.00 |
| Betula nigra 'Heritage' single trunk | \$636.00 |
| Platanus x aceriflora | \$1,212.00 |
| Nyssa sylvatica | \$656.00 |
| Cupressus x leylandi | \$3,080.00 |
| Cupressus x leylandi | \$10,320.00 |
| Obtusa compacta | \$1,308.00 |
| Cladrastis kentukea | \$1,127.10 |
| Zelkova serrata | \$172.85 |
| Acer campestre | \$317.70 |
| Acer buergerianum | \$443.70 |
| Acer griseum | \$415.70 |
| Acer ginnala 'Rubby Slippers' | \$317.70 |
| Quercus macrocarpa | \$317.70 |
| Parrotica persica | \$515.70 |
| Ostrya virginiana | \$343.70 |
| Amelanchier single trunk | \$415.70 |
| Amelanchier multi trunk | \$323.70 |
| Pistacia chinensis | \$303.70 |
| Populus deltoides | \$317.70 |
| Disopyrus virginiana | \$335.70 |
| Asimina trilobal | \$317.70 |

| | |
|-----------------------------------|------------|
| Oxydendrum arboretum | \$335.70 |
| Celtis occidentalis | \$303.70 |
| Fagus sylvatica “Purple Fountain” | \$485.70 |
| Camellia | \$297.70 |
| Aronia melanocarpa | \$156.00 |
| Pinus sylvestris | \$283.70 |
| Stewartia psedocamellia | \$317.70 |
| Crataegus | \$335.70 |
| Gymnocladus dioicus | \$343.70 |
| Populus tremuloides | \$323.70 |
| Metasequoia | \$303.70 |
| Magnolia virginiana | \$309.70 |
| Hamamelis virginiana | \$343.70 |
| Cercis canadensis ‘Merlot’ | \$357.70 |
| Ulmus americana ‘Princeton’ | \$1,470.00 |
| Quercus rubra | \$1,590.00 |
| Quercus alba | \$1,770.00 |
| Acer platmatum ‘Bloodgood’ | \$850.00 |
| Acerplatanoides ‘Crimson King’ | \$225.00 |
| Syringa reticulata | \$915.00 |
| Prunus ‘Okame’ | \$675.00 |

MINUTES

On a motion by Councilman LoGrippo and seconded by Councilman Dardia, Council approved the Minutes of the Town Council Conference Session, Executive Session and Regular Meeting and Executive held February 12, 2019.

PETITIONS AND COMMUNICATIONS

OPEN DISCUSSION BY CITIZENS

Mayor Brindle opened the public comments portion of the meeting and asked if there were any questions or comments.

Greg Kasko, 434 Everson Place, discussed the current condition of Rahway Avenue and stated that there are potholes forming and the trenches that exist because of utility work that was done are giving way. Feels this is the most “detrimental” season for these trenches to show their wear because of the weather. Requested information concerning the Town Council’s efforts to have the utility company repair the roads where utility work was done. Feels the utility company should be responsible for repairs when they cut into roadways.

The Town Administrator discussed the utility work that was conducted on Rahway Avenue and explained that it was done in two (2) phases. The first phase was completed approximately one (1) year ago, and the second phase is being completed now, and includes gas line replacement and gas meter replacement at homes. Stated that the Town has contacted Elizabethtown Gas concerning the repair of Rahway Avenue, as well as other roadways in need of repair, and would continue to contact them until final paving and restoration can be done. Also mentioned that the Town has submitted an application for grant funding to the State of New Jersey for the paving of Rahway Avenue from Willow Grove Road to the Town line, and expects to be notified by the State as to grant awards within the next month. In addition, the Town also submitted an application to Union County for funding for improvements to Rahway Avenue. Discussed State

and County funding the Town received for improvements to Grove Street and explained that most of the cost to repave Grove Street was offset with grant funds. Stated that he is hoping for a similar result with Rahway Avenue, whereby most of the cost is offset with grant funds. In the meantime, the Town is in continuous contact with Elizabethtown Gas for the temporary repair of trenches on Rahway Avenue and on other roadways. Also explained that the Town is in the process of formulating its road paving list for 2019 and would be working with Elizabethtown Gas throughout this process because the Town believes Elizabethtown Gas has a responsibility to pave several roads throughout the entire Town. In addition, if the Town receives grant funding to pave Rahway Avenue, Elizabethtown Gas has agreed to pave other roads within the Town with similar width and length to Rahway Avenue.

Councilman LoGrippe discussed a section of Rahway Avenue that was recently paved which was then opened by Elizabethtown Gas and asked if Elizabethtown Gas would be repaving this section.

The Town Administrator explained that the Town applied for grant funding to repave Rahway Avenue from Willow Grove Road to the Town line because of the utility work that was done, but would hold Elizabethtown Gas responsible for paving another roadway if the Town is awarded grant funds for Rahway Avenue.

Councilwoman Mackey informed residents of meetings held by the Code Review and Town Property Committee with respect to road paving, and efforts that are planned to hold utility companies, as well as builders, responsible for road repairs.

Councilman Contract discussed the recent hiring of an Assistant Engineer to assist with enforcement in order to hold builders and others responsible for road repairs.

Nancy Carolan, 720 Kimball Avenue, stated that she was the Chairperson for Wilson School's recent Skate Night at the Westfield Rink and informed the Town Council that it was a very successful event. Stated that one hundred and sixty (160) tickets were presold, with several skaters participating the night of the event, despite single digit temperatures, as compared to seventy-nine (79) skaters the prior year when Skate Night was held at Warinaco Rink. Feels the number of skaters increased because the venue was in Westfield and that many had a great time. Stated that she hopes this can be done in Westfield again next year.

Councilman LoGrippe stated that Jefferson School's Skate Night was held this past week and believes one hundred and fifty (150) tickets were sold.

Mayor Brindle stated that Washington School's Skate Night sold out within an hour and the skaters enjoyed the event.

Milan Sledge, Housing and Community Development Network of New Jersey, 145 West Hanover Street, Trenton, stated that she is speaking on behalf of non-profit community development corporations, public agencies, private sector partners and housing advocates that all support the creation of housing choices and economic opportunities for low and moderate income residents. Referenced the Town Planner's report and stated that her organization is glad to know that Westfield would like to work with not-for-profit developers, and she is also pleased that her organization is listed as a reference. Stated that, to date, her organization has not been contacted by Westfield. Also stated that there are dozens of not-for-profit developers and organizations in Union County that are prepared to assist the Town in achieving its unmet affordable housing need. Discussed member organizations in the area, including Habitat for Humanity of Greater Plainfield, Premiere Community Development Corporation, and the Elizabeth Coalition to end Homelessness, and stated that she does not believe the Town has contacted any of these groups either. Commended the Town for working with the United Way of Bergen County, which is a network member, but hopes the Town would reach out to some of these other organizations as well. Also explained that she is involved with facilitating a network meeting of her organization's Union County based non-profit organizations.

Mayor Brindle asked if municipal representatives are invited to attend the network meeting mentioned by Ms. Sledge.

Ms. Sledge stated the meeting is open to its member organizations and those who represent housing authorities within their municipality. Also offered to provide her contact information to those interested.

Hearing no further comments, Mayor Brindle closed the public comment portion of the meeting.

BILLS AND CLAIMS

On motion by Councilwoman Habgood, and seconded by Councilman LoGrippo, bills and claims were adopted unanimously:

RESOLVED that the bills and claims in the amount of \$463,654.70 per the list submitted to the members of this Council by the Chief Financial Officer, and approved for payment by the Town Administrator be, and the same are hereby, approved and that payroll warrants previously issued by the Chief Financial Officer be ratified.

REPORTS OF STANDING COMMITTEES:

Finance Policy Committee

The following resolutions, introduced by Councilwoman Habgood, Chairwoman of the Finance Policy Committee, and seconded by Councilman Contract, were unanimously adopted.

Resolution No. 53

RESOLVED, that the Chief Financial Officer be and hereby is, authorized to draw warrant for unused parking permit fee as follows:

| | | | |
|---------------------|-------------------------|-----------|----------|
| Lynn Hui | South Side RR Stn/Lot 3 | #19030546 | \$696.00 |
| 334 Benson Place | | | |
| Westfield, NJ 07090 | | | |

Resolution No. 54

RESOLVED, that the Town Treasurer be authorized to refund the following fees to the following individual:

| <u>Name</u> | <u>Account</u> | <u>Class</u> | <u>Fee</u> |
|---------------------|----------------|-----------------------|------------|
| Jordana Marks | Tennis/Rec | Refund/Medical Issue | \$104.00 |
| 84 Fair Hill Drive | Trust 217 | Daddy Daughter Dance | |
| Westfield, NJ 07090 | | Evan Marks | (\$52.00) |
| | | Zoe Marks | (\$52.00) |
| Maria Bruscianelli | Tennis/Rec | Refund/Business | \$104.00 |
| 160 Cottage Place | Trust 217 | Daddy Daughter Dance | |
| Westfield, NJ 07090 | | Giuseppe Bruscianelli | (\$52.00) |
| | | Stella Bruscianelli | (\$52.00) |

Resolution No. 55

WHEREAS, the Westfield Recreation Department’s annual Daddy-Daughter Dance held at The Westwood for Westfield residents is scheduled for Sunday March 10, 2019 and,

WHEREAS, payment for each participant to The Westwood is required day of the event;

NOW, THEREFORE, BE IT RESOLVED, that the Chief Financial Officer is hereby authorized to prepare warrants for participant payment to The Westwood located at 438 North Ave., Garwood, NJ 07027 in an amount of \$16,800 charged to the Recreation Department’s Trust 217 Account (T05-600-071)

Resolution No. 56

RESOLVED that the Chief Financial Officer be and he hereby is authorized to draw warrants to the following persons, these amounts being overpaid for 2019:

| <u>Block/Lot/Qualifier</u> | | <u>Quarter/Year</u> |
|----------------------------|-------------------------|-----------------------|
| <u>Name</u> | <u>Property Address</u> | <u>Amount</u> |
| 2211/8 | 101 Linden Avenue | 1 st /2019 |
| Wells Fargo | | \$4,144.14 |

1 Home Campus
MAC F2302-03H
Des Moines, IA 50328-0001

| | | |
|------------------------------|-------------------|-----------------------|
| 2904/2 | 586 Rahway Avenue | 1 st /2019 |
| Investors First Title Agency | | \$2,875.10 |
| 425 Amwell Road, Suite 2 | | |
| Hillsborough, NJ 08844 | | |

Resolution No. 57

BE IT RESOLVED by the Town Council of the Town of Westfield that the Mayor is authorized to sign the collective bargaining agreement between the Town of Westfield and the FMBA Local #30 for the years 2018-2021.

Resolution No. 58

RESOLVED that the payroll consisting of the following regularly salaried employees of the Fire Department of the Town of Westfield represented by FMBA Local #30 for collective bargaining purposes be adopted March 1, 2018 and that the Treasurer be authorized to draw warrants to their order biweekly as their names appear on departmental payrolls, and that the Mayor and the Town Clerk be and are hereby authorized to sign a warrant in compliance thereto for the amount of the payroll biweekly:

| <u>Name</u> | <u>Position</u> | <u>March 1, 2018</u> |
|----------------------|-----------------|----------------------|
| Scott Miller | Battalion Chief | \$126,353 |
| James Ryan Jr. | Battalion Chief | \$126,353 |
| Michael Ridge | Battalion Chief | \$123,125 |
| Timothy Brennan | Battalion Chief | \$126,353 |
| Robert Sawicki | Battalion Chief | \$126,353 |
| James Dannevig | Lieutenant | \$113,044 |
| Rick Jurgens | Lieutenant | \$116,271 |
| Michael Sawicki | Lieutenant | \$116,271 |
| Thomas Ryan | Lieutenant | \$116,271 |
| Michael Duelks | Lieutenant | \$116,271 |
| Matthew Pereira | Lieutenant | \$116,271 |
| Aldo Tammaro | Lieutenant | \$116,271 |
| Lou Cherchio | Lieutenant | \$116,271 |
| Ben Corbin | Lieutenant | \$116,271 |
| R. Brian Dunlap | Fire Fighter | \$100,713 |
| Christopher Love | Fire Fighter | \$103,943 |
| David Mazza | Fire Fighter | \$103,943 |
| Angelo Bencivenga | Fire Fighter | \$103,943 |
| John McCormack | Fire Fighter | \$103,943 |
| Michael Skubish | Fire Fighter | \$103,943 |
| Karl Kelber | Fire Fighter | \$103,943 |
| Kevin McCormack | Fire Fighter | \$103,943 |
| Craig Manning | Fire Fighter | \$103,943 |
| Jason Garcia | Fire Fighter | \$51,004 |
| Brian Piccola | Fire Fighter | \$51,004 |
| John Gura | Fire Fighter | \$51,004 |
| Thomas Bottini | Fire Fighter | \$51,004 |
| Kevin Guidici Pietro | Fire Fighter | \$51,004 |
| Bryan Crawford | Fire Fighter | \$45,492 |
| Ryan Dullea | Fire Fighter | \$45,492 |
| Daniel Genovese | Fire Fighter | \$45,492 |
| Steven Longa | Fire Fighter | \$45,492 |
| Daniel Tammaro | Fire Fighter | \$41,052 |

Resolution No. 59

RESOLVED that the payroll consisting of the following regularly salaried employees of the Fire Department of the Town of Westfield represented by FMBA Local #30 for collective bargaining purposes be adopted January 1, 2019 and that the Treasurer be

authorized to draw warrants to their order biweekly as their names appear on departmental payrolls, and that the Mayor and the Town Clerk be and are hereby authorized to sign a warrant in compliance thereto for the amount of the payroll biweekly:

| <u>Name</u> | <u>Position</u> | <u>January 1, 2019</u> |
|----------------------|------------------------|-------------------------------|
| Scott Miller | Battalion Chief | \$129,735 |
| James Ryan Jr. | Battalion Chief | \$129,735 |
| Michael Ridge | Battalion Chief | \$126,443 |
| Timothy Brennan | Battalion Chief | \$129,735 |
| Robert Sawicki | Battalion Chief | \$129,735 |
| James Dannevig | Lieutenant | \$116,166 |
| Rick Jurgens | Lieutenant | \$119,456 |
| Michael Sawicki | Lieutenant | \$119,456 |
| Thomas Ryan | Lieutenant | \$119,456 |
| Michael Duelks | Lieutenant | \$119,456 |
| Matthew Pereira | Lieutenant | \$119,456 |
| Aldo Tammaro | Lieutenant | \$119,456 |
| Lou Cherchio | Lieutenant | \$119,456 |
| Ben Corbin | Lieutenant | \$119,456 |
| R. Brian Dunlap | Fire Fighter | \$102,677 |
| Christopher Love | Fire Fighter | \$105,970 |
| David Mazza | Fire Fighter | \$105,970 |
| Angelo Bencivenga | Fire Fighter | \$105,970 |
| John McCormack | Fire Fighter | \$105,970 |
| Michael Skubish | Fire Fighter | \$105,970 |
| Karl Kelber | Fire Fighter | \$105,970 |
| Kevin McCormack | Fire Fighter | \$105,970 |
| Craig Manning | Fire Fighter | \$105,970 |
| Jason Garcia | Fire Fighter | \$57,016 |
| Brian Piccola | Fire Fighter | \$57,016 |
| John Gura | Fire Fighter | \$57,016 |
| Thomas Bottini | Fire Fighter | \$57,016 |
| Kevin Guidici Pietro | Fire Fighter | \$57,016 |
| Bryan Crawford | Fire Fighter | \$51,504 |
| Ryan Dullea | Fire Fighter | \$51,504 |
| Daniel Genovese | Fire Fighter | \$51,504 |
| Steven Longa | Fire Fighter | \$51,504 |
| Daniel Tammaro | Fire Fighter | \$45,992 |

The following resolution, introduced by Councilwoman Habgood, Chairwoman of the Finance Policy Committee, and seconded by Councilman Contract, was adopted by the following roll call vote:

Resolution No. 60

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Town of Westfield strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the Town of Westfield is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called Sustainable Jersey Small Grants; and

WHEREAS, this grant cycle of the 2019 Municipal Grants Program will include grant awards to support local green team initiatives; and

WHEREAS, the Town Council has determined the Town of Westfield should submit an application for a \$2,000 Municipal Grant Award to support the Green Team's project: Zero Single Use Plastics.

NOW THEREFORE BE IT RESOLVED that the Town Council of the Town of Westfield, State of New Jersey, authorizes the submission of the Sustainable Jersey \$2,000 Municipal Grant Application.

Yeas: Habgood

Nays: Arena

Absent: Neylan

Dardia

LoGrippe

Contract

Stokes

Mackey

Mayor Brindle

The following resolution, introduced by Councilwoman Habgood, Chairwoman of the Finance Policy Committee, and seconded by Councilman Contract, was adopted by the following roll call vote:

Resolution No. 61

WHEREAS, a sustainable community seeks to optimize quality of life for its residents by ensuring that its environmental, economic and social objectives are balanced and mutually supportive; and

WHEREAS, the Town of Westfield strives to save tax dollars, assure clean land, air and water, improve working and living environments; and

WHEREAS, the Town of Westfield is participating in the Sustainable Jersey Program; and

WHEREAS, one of the purposes of the Sustainable Jersey Program is to provide resources to municipalities to make progress on sustainability issues, and they have created a grant program called Sustainable Jersey Small Grants; and

WHEREAS, this grant cycle of the 2019 Municipal Grants Program includes grants awards to support local green team initiatives; and

WHEREAS, the Town Council has determined the Town of Westfield should submit an application for a \$10,000 Municipal Grant Award to support and enhance the current Styrofoam recycling program the Town administers.

NOW THEREFORE BE IT RESOLVED that the Town Council of the Town of Westfield, State of New Jersey, authorizes the submission of the Sustainable Jersey \$10,000 Municipal Grant Application.

Yeas: Habgood

Nays: Arena

Absent: Neylan

Dardia

LoGrippe

Contract

Stokes

Mackey

Mayor Brindle

Town Council comments:

Councilman Contract discussed the resolutions related to the submission of grant applications in connection with the Sustainable Jersey Program. Feels these applications are important because funding would help drive sustainability in Westfield. Stated that global warming is “happening”, and feels these grant programs are smart and efficient ways to “attack” it without using Town funds. Thanked the Green Team for its support of these grant programs and is hopeful the Town will receive funding.

Public Safety, Transportation and Parking Committee

Code Review & Town Property Committee

The following resolution, introduced by Councilwoman Mackey Chairwoman of the Code Review & Town Property Committee, and seconded by Councilman Arena, was unanimously adopted.

Resolution No. 62

WHEREAS, pursuant to Chapter 24 Article VII Section 24-47 of the Town Code the Town Council has authorized the licensing of Sidewalk Cafés, and

WHEREAS, the establishments listed have made application as required by Sec. 24-48 of the Town Code, and

WHEREAS, the establishments listed have met all the terms and conditions as required,

NOW, THEREFORE BE IT RESOLVED, that the Town Council of the Town of Westfield hereby grants licenses to the establishments listed to operate sidewalk cafés and the Town Clerk be, and is hereby authorized to issue said licenses.

| | |
|-------------------------|-----------------------|
| Bovella's Pastry Shoppe | 101 East Broad Street |
| Feast Catering | 27 Elm Street |
| Ferraro's Restaurant | 8-14 Elm Street |
| Nosvino | 127 Central Ave |
| Qdoba Mexican Grill | 70 Elm Street |
| Starbucks | 117 Central Avenue |
| Sweet Waters | 43 Elm Street |

Public Works Committee

The following resolutions, introduced by Councilman Contract, Chairman of the Public Works Committee, and seconded by Councilwoman Habgood, were unanimously adopted.

Resolution No. 63

WHEREAS, at a meeting held on September 25, 2018, the Town Council of the Town of Westfield adopted Resolution No. 240-2018, authorizing an award of contract to Timmerman Equipment Company, PO Box 71, Whitehouse, NJ 08888, for the purchase of an Altec Industries Model LR-7-60-E70 Aerial Lift with Forestry Body for the Department of Public Works; and

WHEREAS, said purchase was at a cost of \$153,499.53 through the Educational Services Commission Cooperative Pricing System, ESCNJ Co-Op #65MCESCCPS, Bid #ESCNJ 17/18-30; and

WHEREAS, the original purchase did not include certain equipment, specifically a T-66 Through Box, at an additional, discounted cost of \$9,394.45; and

WHEREAS, the Town of Westfield wishes to amend the contract awarded to Timmerman Equipment Company to include the purchase of a T-66 Through Box; and

WHEREAS, Certificate of the Town Treasurer, certifying the availability of adequate funds for this amendment to the contract, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds pursuant to this Contract to be charged to Capital Account C-07-18-221-5A3, under Purchase Order PO #18-03727.

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Westfield be and hereby authorizes an amendment to the contract awarded to Timmerman Equipment Company for an Altec Industries Model LR-7-60-E70 Aerial Lift with Forestry Body to include a T-66 Through Box in the amount of \$9,394.45, for a total amount of \$162,893.98.

BE IT FURTHER RESOLVED that the proper Town Officials be, and they are hereby authorized to take whatever actions are appropriate in the execution and discharge of this Contract.

Resolution No. 64

WHEREAS, a need exists for the purchase of various landscape material for use by the Department of Public Works, as provided for in Public Works account 137-254, and

WHEREAS, sealed bids were received on Wednesday, February 6, 2019, and

WHEREAS, the low bid, submitted by Northern Nurseries of New Jersey, Inc., has been analyzed and found to be in conformance with the appropriate specifications, and

WHEREAS, Certificate of the Town Treasurer, certifying to the availability of adequate funds for this Contract, prepared in accordance with N.J.A.C. 5:30 1.10 has been furnished to the Town Clerk. Expenditure of funds pursuant to this Contract to be charged to Public Works account 137-254, under Purchase Order PO# 19-00729, in an amount not expected to exceed \$75,000, subject to inclusion of a like amount in the 2019 Operating Budget.

NOW THEREFORE BE IT RESOLVED, that a Unit Price Contract be awarded to Northern Nurseries of New Jersey, Inc., and

BE IT FURTHER RESOLVED, that the proper Town Officials be, and they are hereby, authorized to take whatever actions are appropriate in the execution of discharge of this Contract.

Reports of Department Heads

Councilwoman Mackey provided an update of a recent meeting she attended with 7-Eleven representatives to address the issues that occurred at the 7-Eleven location on Central Avenue. Stated that both Ward 3 councilmembers also attended the meeting, as well as the Public Safety, Transportation and Parking Committee chairman, the Town Attorney, the Town Administrator and the Police Chief. Informed residents that the Town expressed its concerns during the meeting, and that 7-Eleven representatives were unaware of the first incident that occurred at the store on Central Avenue. Discussed 7-Eleven's protocol for safety, which their representative admitted was not actively in place at the time of the incident. Stated that the Town discussed different safety measures that they would like 7-Eleven to implement, including a minimum of two (2) employees on staff during overnight hours, additional security cameras, and cameras which feed directly to the Police Department. The Town also made it clear that the neighborhood residents would like 7-Eleven to close in the overnight hours rather than operate for twenty-four (24) hours. Also mentioned that the Central Avenue store is a franchise rather than corporately owned. In summary, the Town requested that 7-Eleven make a "grand gesture" to the neighbors and close its store during the overnight hours, and while the Town made it clear that it would like to work with 7-Eleven, the Town also indicated that it would take action within its purview to do so if 7-Eleven does not address these issues. Lastly, informed residents that 7-Eleven has not yet provided a response to the Town's request, but a response is expected within a week, and the Town would follow up if no response is received.

ADJOURNMENT

A motion to adjourn, made by Councilwoman Habgood and seconded by Councilman LoGrippo at 8:50 p.m. was unanimously carried.

Respectfully submitted,

Tara Rowley, RMC
Town Clerk